



Kristina Grimshaw
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Via ECF

Honorable Robyn F. Tarnofsky
United States District Court
Southern District of New York
500 Pearl Street, Room 703
New York, New York 10007

April 3, 2024

Re: Thomas v. VNS Health (23-cv-08821-AT-RFT)

Dear Judge Tarnofsky:

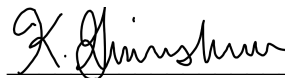
As counsel for Defendant, Visiting Nurse Service of New York Home Care d/b/a VNS Health Home Care (“VNS Health”), incorrectly captioned as VNS Health, we submit this letter requesting to adjourn the Initial Case Management Conference (the “Conference”), currently scheduled for April 17, 2024, at 10:00 a.m. The Court referred the Parties to mediation in this matter, which has now been scheduled for May 7, 2024 (the “Mediation”). To avoid incurring potentially unnecessary costs related to discovery and scheduling, as well to be respectful of the Court’s time, VNS Health respectfully requests that the Conference be adjourned for one month, until May 17, 2024, or to such other date following the mediation as is convenient for the Court. This request would also adjust the deadline for submission of the Case Management Plan and Scheduling Order (“Scheduling Order”), currently due April 10, 2024, until one week before the revised Conference date.

This is the first such request for an extension of time regarding the Conference and the second request related to the Scheduling Order.

Plaintiff's Position: Plaintiff's counsel does not consent to this request on the basis that she believes that the Parties will benefit from some discovery prior to the mediation; as pre-litigation settlement discussion -though robust- were unsuccessful. Without new information, the scheduled mediation is likely to suffer the same fate. Maintaining the scheduled Conference and Mediation as planned, will properly motivate the Parties to make good use of this opportunity while permitting the momentum of case to continue.

Thank you for your consideration.

Respectfully Submitted,



Kristina T. Grimshaw
Caroline F. Secola
Counsel for Defendant
FLORENTINO & GRIMSHAW LLC
800 Westchester Ave., Suite N-641
Rye Brook, NY 10573

CC: All Counsel of Record (via ECF)

The initial case management conference is postponed until **May 17, 2024, at 11:00 AM**, with the associated deadlines postponed commensurately as well.

The parties are directed to appear for a telephonic status conference on **April 11, 2024, at 11:30 AM**, when they should be prepared to discuss whether there is any limited exchange of documents that can be made in advance of mediation that would make the mediation more productive. Counsel for the parties are directed to call my Microsoft Teams conference line at the scheduled time **by dialing (646) 453-4442, Access Code: 476 469 509 #**.

Dated: April 4, 2024
New York, NY

SO ORDERED:



ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE